

BEFORE THE WEST VIRGINIA BOARD OF MEDICINE

IN RE: RUSS MARC SAVIT, M.D.

CONSENT ORDER

The West Virginia Board of Medicine ("Board") and Russ Marc Savit ("Dr. Savit"), freely and voluntarily enter into the following Consent Order pursuant to the provisions of W. Va. Code § 30-3-14, *et seq.*:

FINDINGS OF FACT

1. Dr. Savit currently holds a license to practice medicine and surgery in the State of West Virginia, License No. 21264, issued originally in 2003. Dr. Savit's address of record is in Coeur D'Alene, Idaho.

2. On October 23, 2008, the State Medical Board for the State of Alaska ("Alaska Medical Board") adopted a Consent Agreement and Decision and Order In the Matter of Russ M. Savit, M.D., Case No. 2800-08-018. The Alaska Medical Board fined Dr. Savit one thousand dollars (\$1,000.00) and reprimanded Dr. Savit for his failure to timely report to the Alaska Medical Board a malpractice settlement made on his behalf on or about November 29, 2007. Dr. Savit agreed to the Consent Agreement and Decision and Order.

3. The Complaint Committee of the Board initiated a Complaint against Dr. Savit on January 12, 2009, based upon the action taken against him by the Alaska Medical Board on October 23, 2008.

4. Dr. Savit responded by letter of January 26, 2009, to the Complaint filed by the Complaint Committee noting that he reported the Alaska action to the Board of Medicine by letter of October 7, 2008, and included a copy of the letter of October 7, 2008. In the letter of October 7, 2008, Dr. Savit stated that the reporting error in relation to the Alaska Board's action had been an administrative error, which he attributed to NightHawk Radiology Services licensing staff.

CONCLUSIONS OF LAW

1. The Board has a mandate pursuant to the West Virginia Medical Practice Act to protect the public interest. W. Va. Code § 30-3-1.

2. Probable cause exists to substantiate charges against Dr. Savit pursuant to W. Va. Code § 30-3-14 (c)(17) and 11 CSR 1A 12.1 (g) relating to having his license in another jurisdiction acted against and subjected to disciplinary action.

3. The Board has determined that it is appropriate and in the public interest to waive the commencement of proceedings against Dr. Savit and to proceed without the filing of formal charges in a Complaint and Notice of Hearing, provided Dr. Savit complies with the terms and conditions set forth herein.

CONSENT

Russ Marc Savit, M.D., by affixing his signature hereon, agrees solely and exclusively for purposes of this agreement and the entry of the Order provided for and stated herein, and the proceedings conducted in accordance with this Order, to the following:

1. Dr. Savit acknowledges that he is fully aware that, without his consent here given, no permanent legal action may be taken against him except after a hearing held in accordance with W. Va. Code § 30-3-14 (h) and W. Va. Code § 29A-5-1, *et seq.*

2. Dr. Savit further acknowledges that he has the following rights, among others: the right to a formal hearing before the West Virginia Board of Medicine, the right to reasonable notice of said hearing, the right to be represented by counsel at his own expense, and the right to cross-examine witnesses against him.

3. Dr. Savit waives all rights to such a hearing.

4. Dr. Savit consents to the entry of this Order relative to his practice of medicine and surgery in the State of West Virginia.

5. Dr. Savit understands that this Order is considered public information, and that matters contained herein may be reported, as required by law, to the National Practitioner Data Bank and the Healthcare Integrity and Protection Data Bank.

ORDER

WHEREFORE, on the basis of the foregoing Findings of Fact and Conclusions of Law of the Board, and on the basis of the consent of Dr. Savit, the West Virginia Board of Medicine hereby **ORDERS** as follows:

1. Russ Marc Savit, M.D., is hereby **PUBLICLY REPRIMANDED** for having his license in another jurisdiction acted against and subjected to disciplinary action.

The foregoing Order was entered this 1st day of September, 2009.

WEST VIRGINIA BOARD OF MEDICINE

John A. Wade, Jr., M.D.
John A. Wade, Jr., M.D.
President

Catherine C. Slemp
Catherine Slemp, M.D., M.P.H.
Secretary

Russ M. Savit
Russ Marc Savit, M.D.
Date: 8/12/09

STATE OF Idaho
COUNTY OF Kootenai

I, Shannon Nearing, a Notary Public in and for said county and state do hereby certify that Russ Marc Savit, M.D., whose name is signed on the this page, has this day acknowledged the same before me.

Given under my hand this 12 day of August, 2009.
My commission expires 3/17/15.

Shannon Nearing
Notary Public